

UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

In re:
Kenneth Truman Thomson
Debtor(s).

Case No. 23-25871 JTM
Chapter 7

NOTICE TO DEBTOR(S) OF DEFICIENCY CONCERNING DISCHARGE AND
REQUIREMENT TO COMPLETE DEBTOR EDUCATION

This is a notification that your bankruptcy case may be closed without entry of a discharge on or after April 1, 2024 because you have not filed with the court the 423 form (Official Form 423 Debtor's Certification of Completion of Post petition Instructional Course Concerning Personal Financial Management) proving post petition completion of the personal financial management course which is a requirement for discharge. This requirement is different and separate from the credit counseling briefing you were required to complete prior to filing your bankruptcy case.

In order to receive a discharge of debts you must file with the court (prior to the case being closed) the 423 form certifying you have completed the course. A separate 423 form must be filed by each debtor. A link to a list of approved providers of the Instructional Course Concerning Personal Financial Management (Debtor Education) is available on the court's website at www.utb.uscourts.gov or directly through the United States Trustee Program's website at www.justice.gov/ust/eo/bapcpa/ccde/de_approved.htm. Classes are generally available in person, by telephone, or via the internet.

To avoid your case being closed without a discharge, please ensure that the required form(s) are received by the court no later than April 1, 2024.

PLEASE TAKE NOTE that if your case is closed without entry of a discharge, you may seek an order reopening your case to file the required certification. This is accomplished by filing a motion with the court to reopen your case along with payment of a case reopening fee of \$260.

If you feel that this notice has been sent in error or items have crossed in the mail, please call the court at (801) 524-6687 to confirm that we have received Form 423. Please have your case number available when calling the court.

Dated: March 18, 2024

David A. Sime
Clerk of Court

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Fill in this information to identify the case:

Debtor 1 **Kenneth Truman Thomson**
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court **District of Utah**

Case number: **23-25871** JTM Chapter 7 Petition date:
12/21/23

Official Form 423

Certification About a Financial Management Course

12/15

If you are an individual, you must take an approved course about personal financial management if:

- you filed for bankruptcy under chapter 7 or 13, or
- you filed for bankruptcy under chapter 11 and §1141 (d)(3) does not apply.

In a joint case, each debtor must take the course. 11 U.S.C §§ 727(a)(11) and 1328(g).

After you finish the course, the provider will give you a certificate. The provider may notify the court that you have completed the course. If the provider does notify the court, you need not file this form. If the provider does not notify the court, then Debtor 1 and Debtor 2 must each file this form with the certificate number before your debts will be discharged.

- If you filed under chapter 7 and you need to file this form, file it within 60 days after the first date set for the meeting of creditors under §341 of the Bankruptcy Code.
- If you filed under chapter 11 or 13 and you need to file this form, file it before you make the last payment that your plan requires or before you file a motion for a discharge under §1141(d)(5)(b) or §1328(b) of the Bankruptcy Code. Fed. R. Bankr. P. 1007(c).

In some cases, the court can waive the requirement to take the financial management course. To have the requirement waived, you must file a motion with the court and obtain a court order.

Part 1: Tell the Court About the Required Course

You must check one:

- ☐ **I completed a course in personal financial management:**

Date I took the
course MM/DD/YYYY

Name of approved
provider

Certificate number

You must check one:

- ☐ **I am not required to complete a course in personal financial management because the court has granted my motion for a waiver of the requirement based on (check one):**
- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.** My physical disability causes me to be unable to complete a course in personal financial management in person, by phone, or through the internet, even after I reasonably tried to do so.
- ☐ **Active Duty.** I am currently on active military duty in a military combat zone.
- ☐ **Residence.** I in a district in which the United States trustee (or bankruptcy administrator) has determined that the approved instructional courses cannot adequately meet my needs.

Part 2: Sign Here

I certify that the information I have provided is true and correct.

Signature of debtor named on certificate Printed name of debtor Date MM/DD/YYYY

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